THE HON'BLE SRI JUSTICE B.PRAKASH RAO

and

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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WRIT PETITION No.23290 OF 2005

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Dated: 08-06-2006

Between:

The Director of Intermediate Education,

Hyderabad and others . . .Petitioners

And

P.Nagakumar . . .Respondent

THE HON'BLE SRI JUSTICE B.PRAKASH RAO

and

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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WRIT PETITION No.23290 OF 2005

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O R D E R: (per BPR, J)

Heard the learned Government Pleader for Higher Education.

The petitioners, who are the Director and Regional Joint Director of Intermediate Education, filed this writ petition *inter alia* seeking *Mandamus* assailing the orders, dated 23-08-2005, passed by the Andhra Pradesh Administrative Tribunal, in V.M.A.No.451 of 2005 filed seeking vacation of the interim orders passed by the Tribunal pending O.A.No.6015 of 2004.

Several contentions are sought to be urged on behalf of the petitioners including the fact that the order of promotion, which was sought to be questioned by the respondent before the Tribunal, was passed but not given effect to. Therefore, no right is conferred on the respondent until the order is given effect to. All these aspects have to be considered by the Tribunal before passing interim orders.

Having heard the learned Government Pleader and having perused the entire material available on record, *prima facie*, we are of the view that this writ petition is filed only against the order passed in an interlocutory application making the interim order as final. As the fact remains that such questions have to be gone into in the main O.A. itself, it is apt to direct the Tribunal for disposal of main O.A. rather than modifying the orders already passed.

In the circumstances, the writ petition is dismissed. However, the Tribunal is directed to dispose of the main O.A. as expeditiously as possible, not later than two months from the date of receipt of a copy of the order. It is needless to mention that any interim order passed by the Tribunal will always be subject to final orders to be passed in the main O.A. There shall be no order as to costs.

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(B.PRAKASH RAO, J)

8th JUNE, 2006.

(RAMESH RANGANATHAN, J)

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